

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

FEB 28 2018

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: THORATEC LLC.

No. 17-71297

THORATEC LLC.,

D.C. No. 5:16-mc-80094-HRL  
Northern District of California,  
San Jose

Petitioner,

ORDER

v.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF  
CALIFORNIA, SAN JOSE,

Respondent,

AIS GMBH AACHEN INNOVATIVE  
SOLUTIONS and ABIOMED EUROPE  
GMBH,

Real Parties in Interest.

Before: CANBY, TROTT, and WATFORD, Circuit Judges.

This petition for a writ of mandamus warrants an answer. *See* Fed. R. App. P. 21(b). Accordingly, within 14 days after the date of this order, the real parties in interest shall file an answer. The district court, within 14 days after the date of this order, may address the petition if it so desires. Petitioner may file a reply within 5 days after service of the answer.

Following the completion of briefing, this petition shall be consolidated with appeal No. 17-16539 for purposes of calendaring and decision and referred to the panel assigned to decide the merits of the consolidated cases.

The Clerk shall serve this order on the district court and District Judge Edward J. Davila.